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* Admitted in NY only
** Admitted in MI only
*** Passed the Patent Bar Examination

January 26, 2001

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No.: 09/624,885
Title: "MUSCLE CELLS AND THEIR USE IN CARDIAC REPAIR"
Filed: July 24, 2000
Inventor: Albert Edge
Our Ref. No.: DNI-029

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$65.00 to cover the total amount owed by Applicant;
5. A Request for Three-Month Extension of Time;
6. Check for \$445.00 to cover the third month extension fee; and
7. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on:

January 26, 2001

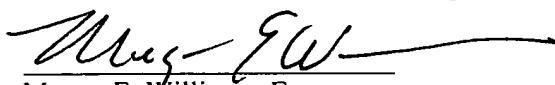
Date

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Megan E. Williams, Esq., Reg. No. 43,270

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Megan E. Williams, Esq.
Attorney for Applicant
Reg. No. 43,270

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Albert Edge

Serial No.: 09/624,885

Filed: July 24, 2000

For: *MUSCLE CELLS AND THEIR USE IN CARDIAC REPAIR*

Attorney Docket No.: DNI-029



Group Art Unit: 1633

Examiner: Not Yet Assigned

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Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

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January 26, 2001

Date of Signature and of Mail Deposit

By:

Megan E. Williams, Esq.

Reg. No. 43,270

Attorney for Applicant

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated September 15, 2000, Applicant's attorney submits herewith an executed Declaration, Petition and Power of Attorney for the above-referenced patent application. Enclosed is a check in the amount of \$65.00 to cover the total amount owed by Applicant (oath or declaration surcharge) based on small entity status.

JAN 29 2001

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. §§1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Megan E. Williams, Esq.
Attorney for Applicant
Reg. No. 43,270

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: January 26, 2001

#4



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/624,885	07/24/2000	Albert Edge	DNI-029

000959
 LAHIVE & COCKFIELD
 28 STATE STREET
 BOSTON, MA 02109

FORMALITIES LETTER



OC000000005402560

Date Mailed: 09/15/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Miriam Kano

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE